

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RICHARD A. GENTNER)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2010-00438
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

O R D E R

On November 29, 2010, Defendant, Kentucky Utilities Company ("KU"), filed its Answer to the Complaint filed by the Complainant, Richard A. Gentner. In its Answer, KU requests that the Commission dismiss the Complaint on grounds that the Complaint has failed to set forth any claim upon which relief can be granted and that Complainant has failed to set forth a prima facie case that KU has violated its tariff or any statute or Commission regulation.

More specifically, KU states that, according to its records, Complainant visited a KU business office on May 6, 2010 and requested to be removed from the budget billing program and that his account was removed from the budget billing program on that day. KU further states that it cannot locate any record of a request from Mr. Gentner to be removed from budget billing in February 2010.

KU states that, in some months, Mr. Gentner paid his budget billing amount, in some months he paid the actual usage amount, and in some months he paid a different

amount. KU also indicates that, because February was Mr. Gentner's settlement month, he was billed \$116.80, including taxes and fees, for his actual consumption, plus \$13.38 for the true-up. KU says that, at that time, Mr. Gentner's monthly budget payment amount was adjusted to \$67.00. KU states that Mr. Gentner was billed less on budget billing from March through May than he would have been billed had he actually been removed from budget billing in February 2010.

KU also states that Mr. Gentner was not assessed any late charges for the time period between March 2010 and May 2010 due to the fact that his account was credited \$115.00 in March when his deposit was refunded, and that removing Mr. Gentner from the budget billing program did not adversely impact him.

The Commission finds that KU's Answer sets out information concerning Complainant's actual utility charges and his budget amounts due for bill due dates of March 15, 2010, April 19, 2010, and May 17, 2010.

Based upon the foregoing, IT IS HEREBY ORDERED that:

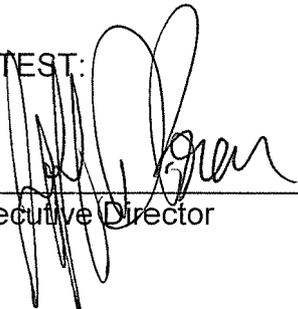
1. Complainant, Richard A. Gentner, shall file with the Commission, within 20 days of the date of entry of this Order, his response, if any, to the Answer of KU, and a statement setting forth which tariffs or statutes or Commission regulations he alleges KU has violated, the relief he seeks from the Commission, and whether he requests a formal hearing before the Commission.

2. If no statement or response is filed by Complainant within 20 days of the date of entry of this Order, this case shall be dismissed upon further Order and shall be removed from the Commission's docket.

By the Commission

ENTERED *R*
DEC 16 2010
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2010-00438

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